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13 **Lead Counsel for Plaintiff and the Class**

14

15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**

18 ADRIAN MONGELI, Individually, And)
 On Behalf Of All Others Similarly Situated,)

) **CASE NO.: 3-06-CV-03936 MJJ**

) **CLASS ACTION**

20 Plaintiff,

) **PROOF OF SERVICE OF CLERK'S
 NOTICE VACATING MOTIONS
 HEARING**

21 vs.

22 TERAYON COMMUNICATIONS)
 SYSTEMS, INC., ZAKI RAKIB, JERRY)
 23 D. CHASE, MARK A. RICHMAN,)
 EDWARD LOPEZ, RAY FRITZ, CAROL)
 24 LUSTENADER, MATTHEW MILLER,)
 SHLOMO RAKIB, DOUG SABELLA,)
 25 CHRISTOPHER SCHAEPE, MARK)
 SLAVEN, LEWIS SOLOMON, HOWARD)
 26 W. SPEAKS, ARTHUR T. TAYLOR,)
 DAVID WOODROW, and ERNST &)
 27 YOUNG, LLP)

28 Defendants.)

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ADRIAN G. MONGELI, et al., ,

No. C06-3936 MJJ

**CLERK'S NOTICE
VACATING MOTIONS
HEARING**

**TERAYON COMMUNICATIONS SYSTEMS,
INC., et al.,**

Defendant(s),

(Plaintiff is required to serve, and file proof of service with the Court, any party involved not listed on the Notice of Electronic Filing)

YOU ARE NOTIFIED THAT the hearing regarding defendants' Motions to Dismiss, previously set for July 24, 2007 at 9:30 a.m. before the Honorable Martin J. Jenkins is **VACATED** and **RESET** for Wednesday, October 10, 2007 at 2:30 p.m.

Please report to Courtroom 11, on the 19th floor, U.S. Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102.

Dated: 7/27/07

FOR THE COURT,

Richard W. Wieking, Clerk

By: Edward Butler

Edward Butler
Courtroom Deputy

Please refer to Judge Jenkins' Standing Order located at www.cand.uscourts.gov for additional information. Pursuant to the Standing Order, the rescheduling of a hearing date for a motion does not change the date on which an opposition brief or reply brief is due; any opposition brief remains due not less than 21 days prior to the date of the *originally noticed* hearing and any reply brief is due not less than 14 days prior to the *originally noticed* hearing date.

PROOF OF SERVICE

2 STATE OF CALIFORNIA)
3 COUNTY OF LOS ANGELES)ss.:)

4 I am employed in the county of Los Angeles, State of California, I am over the age of 18 and
5 not a party to the within action; my business address is 12400 Wilshire Boulevard, Suite 920, Los
Angeles, CA 90025.

6 On July 27, 2007, I served the document(s) described as **CLERK'S NOTICE VACATING**
7 **MOTIONS HEARING** by placing a true copy(ies) thereof enclosed in a sealed envelope(s) addressed
as follows:

SEE ATTACHED SERVICE LIST

9 I served the above document(s) as follows:

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12 the attached Service List. Upon completion of said facsimile machine transmission(s), the
transmitting machine issued a transmission report(s) showing the transmission(s) was/were
complete and without error.

13 xx BY MAIL. The envelope(s) was/were mailed with postage thereon fully prepaid. I am familiar
14 with the firm's practice of collection and processing correspondence for mailing. Under that
15 practice it would be deposited with U.S. postal service on that same day with postage thereon
fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on
motion of the party served, service is presumed invalid if postal cancellation date or postage
meter date is more than one day after date of deposit for mailing in an affidavit.

I declare under penalty of perjury under the laws of the United States of America that the above
is true and correct.

18 Executed on July 27, 2007, at Los Angeles, California 90025.

LEITZA MOLINAR
Type or Print Name

of the United States of America that the above
California 90025.

Signature

1 SERVICE LIST
2

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4 Joseph E. White, III., Esq.
5 SAXENA WHITE P.A.
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17 **Counsel for Lead Plaintiff**
18 **Adrian G. Mongeli and the Class**

19 Bruce M. Cormier, Esq.
20 Joel E. Bonner, Esq.
21 ERNST & YOUNG LLP
22 1225 Connecticut Avenue, NW
23 Washington, D.C. 20036
24 Tel: (202) 327-7603
25 Fax: (202) 327-7601

26 **Counsel for Defendant**
27 **Ernst & Young LLP**

28



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FAX COVER SHEET

FAX TRANSMITTED TO: SEE ATTACHED SERVICE LIST

FROM: Leitza Molinar, Legal Assistant
CLIENT/MATTER: Mongeli v. Terayon Communication Systems, Inc., et al.
DATE: July 28, 2007

DOCUMENTS	NUMBER OF PAGES*
Clerk's Notice Vacating Motions Hearing.	5

COMMENTS:

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Ernst & Young LLP**

BROADCAST REPORT

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PAGE(S)

05

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
07/27	13:56	915613943382	01:33	05	OK	
07/27	13:58	915044551498	48	05	OK	ECM
07/27	14:00	912023277601	58	05	OK	ECM

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 NG : POOR LINE CONDITION
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PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss.:)

I am employed in the county of Los Angeles, State of California, I am over the age of 18 and not a party to the within action; my business address is 12400 Wilshire Boulevard, Suite 920, Los Angeles, CA 90025.

On July 27, 2007, using the Northern District of California's Electronic Case Filing System, with the ECF ID registered to Michael D. Braun, I filed and served the document(s) described as:

PROOF OF SERVICE OF CLERK'S NOTICE VACATING MOTIONS HEARING

The ECF System is designed to automatically generate an e-mail message to all parties in the case, which constitutes service. According to the ECF/PACER system, for this case, the parties served are as follows:

Lionel Z. Glancy, Esq. info@glancylaw.com

Michael M. Goldberg, Esq. info@glancylaw.com

Counsel for Plaintiffs

Patrick Edward Gibbs, Esq. patrick.gibbs@lw.com
zoila.aurora@lw.com

Counsel for Defendant

**Terayon Communications Systems, Inc.
and Individual Defendants**

Sheila Anil Jambekar, Esq. sjambekar@morganlewis.com

Counsel for Defendant Ernst & Young LLP

On July 27, 2007, I served the document(s) described as:

PROOF OF SERVICE OF CLERK'S NOTICE VACATING MOTIONS HEARING

by placing a true copy(ies) thereof enclosed in a sealed envelope(s) addressed as follows:

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 9 Fax: (202) 327-7601

10 **Counsel for Defendant**
 11 **Ernst & Young LLP**

12 I served the above document(s) as follows:

13 BY MAIL. I am familiar with the firm's practice of collection and processing
 14 correspondence for mailing. Under that practice it would be deposited with U.S. postal service on
 that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of
 15 business. I am aware that on motion of the party served, service is presumed invalid if postal
 cancellation date or postage meter date is more than one day after date of deposit for mailing in an
 affidavit.

16 I declare, pursuant to Civil L.R. 23-2, that on the date hereof I served a copy of the above-
 17 listed document(s) on the Securities Class Action Clearinghouse by electronic mail through the
 following electronic mail address provided by the Securities Class Action Clearinghouse:

18 **scac@law.stanford.edu**

19 I am employed in the office of a member of the bar of this Court at whose direction the
 20 service was made.

21 I declare under penalty of perjury under the laws of the United States that the above is true
 and correct.

22 Executed on July 27, 2007, at Los Angeles, California 90025.

25 **/S/ LEITZA MOLINAR**
 26 Leitza Molinar